

AMENDED IN ASSEMBLY JUNE 30, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 3059

**Introduced by Assembly Members Cardoza, Shelley, Liu,
Matthews, Washington, and Strickland
(Coauthors: Assembly Members Cogdill, Cox, Dutra, Leonard,
Maldonado, Negrete McLeod, Reyes, Salinas, and Thomson)**

May 13, 2002

An act to amend ~~Section 2153~~ *Sections 2155 and 2156* of the Elections Code, relating to voter registration, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 3059, as amended, Cardoza. Voter registration: *notification.*

Existing law requires the county elections official to send out a voter notification form upon receipt of a properly executed affidavit of registration, informing the voter that he or she is registered to vote, and may vote in any election held 15 or more days after the date shown on the reverse side of the notice.

This bill would revise the required notice, as specified, to include notification on how the voter's party affiliation has been recorded.

Existing law requires the Secretary of State to print blank forms of the voter notification described above, and to supply the forms to county elections officials as requested.

This bill would provide that the Secretary of State may continue to supply existing voter notification forms prior to printing new or revised forms as required by any changes to the notice requirements.

~~Existing law requires the county elections official, if an affidavit of registration does not contain all the information required to be submitted, but the telephone number is legible, to telephone the affiant to attempt to collect the missing information.~~

~~This bill, in addition, would require the county elections official, if an affidavit of registration is completed in pencil, but the telephone number is legible, to telephone the affiant to verify the accuracy of the information provided. By adding to the duties of county elections officials, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

~~Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes *no*.~~

The people of the State of California do enact as follows:

- 1 ~~SECTION 1.—Section 2153 of the Elections Code is amended~~
- 2 ~~to read:~~
- 3 ~~2153.—(a) Except as provided in Section 2154, the affidavit of~~
- 4 ~~registration shall show all the facts required to be stated.~~
- 5 ~~(b) If the affidavit does not contain all of the information~~
- 6 ~~required, but the telephone number of the affiant is legible, the~~
- 7 ~~county elections official shall telephone the affiant and attempt to~~
- 8 ~~collect the missing information.~~
- 9 ~~(c) If the affidavit does not contain all of the information~~
- 10 ~~required, and the county elections official is not able to collect the~~
- 11 ~~missing information by telephone, but the mailing address of the~~
- 12 ~~affiant is legible, the county elections official shall inform the~~

1 ~~affiant of the reason for rejection and shall send to the affiant a new~~
2 ~~voter registration card.~~

3 ~~(d) If the affidavit is completed in pencil, but the telephone~~
4 ~~number is legible, the county elections official shall telephone the~~
5 ~~affiant to verify the accuracy of the information provided.~~

6 ~~SEC. 2. Notwithstanding Section 17610 of the Government~~
7 ~~Code, if the Commission on State Mandates determines that this~~
8 ~~act contains costs mandated by the state, reimbursement to local~~
9 ~~agencies and school districts for those costs shall be made pursuant~~
10 ~~to Part 7 (commencing with Section 17500) of Division 4 of Title~~
11 ~~2 of the Government Code. If the statewide cost of the claim for~~
12 ~~reimbursement does not exceed one million dollars (\$1,000,000),~~
13 ~~reimbursement shall be made from the State Mandates Claims~~
14 ~~Fund.~~

15 *SECTION 1. Section 2155 of the Elections Code is amended*
16 *to read:*

17 2155. Upon receipt of a properly executed affidavit of
18 registration or address correction notice or letter pursuant to
19 Section 2119, Article 2 (commencing with Section 2220), or the
20 National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg),
21 the county elections official shall send the voter a voter
22 notification by nonforwardable, first-class mail, address
23 correction requested. The voter notification shall be substantially
24 in the following form:

25
26 VOTER NOTIFICATION
27

28 You are registered to vote *and your party affiliation has been*
29 *recorded as ____*. This card is being sent as a notification of:

30 1. Your recently completed affidavit of registration,
31

32 OR,
33

34 2. A correction to your registration because of an official notice
35 that you have moved. If your residence address has not changed or
36 if your move is temporary, please call or write the county elections
37 official immediately.
38
39 _____
40

1 You may vote in any election held 15 or more days after the date
2 shown on the reverse side of this card.

3 Your name will appear on the index kept at the polls.
4

5 _____
6 (Signature of Voter)
7

8 *SEC. 2. Section 2156 of the Elections Code is amended to*
9 *read:*

10 2156. The Secretary of State shall print, or cause to be printed,
11 the blank forms of the voter notification prescribed by Section
12 2155. The Secretary of State shall supply the forms to the county
13 elections official in quantities and at times requested by the county
14 elections official. *The Secretary of State may continue to supply*
15 *existing voter notification forms prior to printing new or revised*
16 *forms as required by any changes to Section 2155.*

17 SEC. 3. This act is an urgency statute necessary for the
18 immediate preservation of the public peace, health, or safety
19 within the meaning of Article IV of the Constitution and shall go
20 into immediate effect. The facts constituting the necessity are:

21 In order to implement the voter registration verification
22 procedures proposed by this bill as soon as possible, and thereby
23 help ensure the accuracy of voter registration rolls, it is necessary
24 that this act take effect immediately.